

Plaintiff intends to amend his complaint on or after January 27, 2024 (the day after the close of the candidate filing period), when both Plaintiff and Defendant Donald John Trump will be on the ballot in West Virginia in order to comply with the “Time of Filing” Rule.

In withdrawing this motion, Plaintiff intends for the case to revert back to the dismissal phase and for the filings to no longer be considered motions for summary judgment.

Respectfully submitted,

Dated: December 9, 2023.

By: /s/ John Anthony Castro

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Plaintiff *Pro Se*

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I, John Anthony Castro, verify, under criminal penalty of perjury, that the entirety of the foregoing document, including any and all accompanying exhibits, are unequivocally true and correct.

Executed on December 9, 2023.

/s/ John Anthony Castro
John Anthony Castro

CERTIFICATE OF SERVICE

On December 9, 2023, I submitted the foregoing document with the Clerk of this Court either by mail, email, or CM/ECF. It is further certified that all other parties will be served via CM/ECF if they are registered users, and, if they are not registered users or have not yet filed a notice of appearance, they will be served by U.S. postal mail.

/s/ John Anthony Castro
John Anthony Castro